

9/25/19

Chambers of the Honorable Robert D. Drain  
United States Bankruptcy Court for the Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Cheryl Romanchuk  
1868 Keystone Pl.  
Schaumburg IL 60193  
224-558-1309

FILED  
U.S. BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
2019 OCT -1 P 3 31  
CLERK OF COURT

United States Bankruptcy Court  
Southern District of New York  
Re: Sears Holdings Corporation, et al, Debtors  
Case No 18-23538 (RDD)  
Objection to Disallow and Expunge Certain Filed Proofs of Claim  
Claimant: Cheryl L Romanchuk  
Claim: Wages and Benefit Contributions per Sears Holding Corporation  
contract  
Subject: Surviving Claim # 5662 for \$598.72 included in Appendix A:

I oppose the objection filed above due to the following: The Surviving Claim information is incorrect and represents an earlier supplemental claim. It does not represent my final complete claim which was required to be sent by April 10<sup>th</sup> 2019 and was filed on April 2<sup>nd</sup> 2019.

Correct surviving claim is claim #13068 for \$20001.38 and is included.

Multiple attempts to reach debtor's counsel provided in the Objection documentation did not result in any responses to my inquiries.

The amount of \$20,001.38 needs to be included in the Surviving Claims section in Appendix A.

Respectfully,  
  
Cheryl L Romanchuk

Cc: Weil, Gotshal, & Manges LLP  
Cc: Akin, Gump, Strauss Hauer & Feld LLP

Claim Number: 13068

1. Who is the current creditor?	Cheryl Romanchuk	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? (If creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	1868 KEYSTONE PL SCHAMBURG, IL 60193	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ <input type="checkbox"/> No	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Contact phone	2245581309
Contact email	romanchukc@yahoo.com
Contact phone	
Contact email	romanchukc@yahoo.com

Filed on MM / DD / YYYY

Part 1: Identify the Claim

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense, other than a claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9). Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both, 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Proof of Claim

04/16

Debtor Sears Holdings Management Corporation has listed your claim on Schedule E/F. Part 1 of a Contingent and Unliquidated Priority claim in the amount of \$19,152.98. You must timely file a proof of claim or be forever barred from recovery.

<input checked="" type="checkbox"/>	Sears Holdings Corporation	(18-23549)	Kmart Corporation	(18-23549)	Sears, Roebuck & Co.	(18-23550)	MaxServ, Inc.	(18-23562)	SVW Relay LLC	(18-23574)	Sears Brands Business Unit Corporation	(18-23585)	Kmart.com LLC	(18-23585)
<input type="checkbox"/>	Sears, Roebuck and Co.	(18-23537)	Private Brands, Ltd.	(18-23551)	Wally Labs LLC	(18-23563)	SVW Relay LLC	(18-23562)	Sears Brands Business Unit Corporation	(18-23574)	Sears Brands Business Unit Corporation	(18-23585)	Kmart.com LLC	(18-23585)
<input type="checkbox"/>	Kmart Holding Corporation	(18-23539)	Wally Labs LLC	(18-23551)	Wally Labs LLC	(18-23563)	SVW Relay LLC	(18-23562)	Sears Brands Business Unit Corporation	(18-23574)	Sears Brands Business Unit Corporation	(18-23585)	Kmart.com LLC	(18-23585)
<input type="checkbox"/>	Kmart Operations LLC	(18-23540)	Sears Development Co.	(18-23552)	Big Beaver of Florida Development, LLC	(18-23564)	California Builder Appliances, Inc.	(18-23565)	Sears Holdings Management Corporation	(18-23553)	Sears Holdings Management Corporation	(18-23586)	Kmart.com LLC	(18-23586)
<input type="checkbox"/>	Sears Operations LLC	(18-23541)	Sears Holdings Management Corporation	(18-23553)	California Builder Appliances, Inc.	(18-23565)	Sears Holdings Management Corporation	(18-23553)	Sears Holdings Management Corporation	(18-23553)	Sears Holdings Management Corporation	(18-23586)	Kmart.com LLC	(18-23586)
<input type="checkbox"/>	Service, Inc.	(18-23542)	Franchises, Inc.	(18-23554)	Florida Builder Appliances, Inc.	(18-23565)	Sears Holdings Management Corporation	(18-23553)	Sears Holdings Management Corporation	(18-23553)	Sears Holdings Management Corporation	(18-23586)	Kmart.com LLC	(18-23586)
<input type="checkbox"/>	A&E Factory Service, LLC	(18-23543)	Products, Inc.	(18-23555)	KBL Holding Inc.	(18-23567)	StarWest, LLC	(18-23578)	SOE, Inc.	(18-23578)	SOE, Inc.	(18-23578)	Kmart.com LLC	(18-23578)
<input type="checkbox"/>	A&E Home Delivery, LLC	(18-23544)	Sears Insurance Services, L.L.C.	(18-23556)	K.L.C. Inc.	(18-23568)	STI Merchandising, Inc.	(18-23580)	Troy Coolidge No. 13, LLC	(18-23581)	Troy Coolidge No. 13, LLC	(18-23581)	Kmart.com LLC	(18-23581)
<input type="checkbox"/>	A&E Lawn & Garden, LLC	(18-23545)	Sears Procurement Services, Inc.	(18-23557)	Sears Protection Company (Florida), L.L.C.	(18-23569)	BlueLight.com, Inc.	(18-23582)	Sears Protection Company	(18-23570)	Sears Protection Company	(18-23570)	Kmart.com LLC	(18-23570)
<input type="checkbox"/>	A&E Signature Service, LLC	(18-23546)	Sears Protection Company	(18-23558)	Kmart of Washington LLC	(18-23570)	BlueLight.com, Inc.	(18-23582)	Sears Protection Company	(18-23570)	Sears Protection Company	(18-23570)	Kmart.com LLC	(18-23570)
<input type="checkbox"/>	FBA Holdings Inc.	(18-23547)	Sears Protection Company (PR) Inc.	(18-23559)	Kmart Stores of Illinois LLC	(18-23571)	Sears Buying Services, Inc.	(18-23584)	Sears Buying Services, Inc.	(18-23584)	Sears Buying Services, Inc.	(18-23584)	Kmart.com LLC	(18-23584)
<input type="checkbox"/>	Innovel Solutions, Inc.	(18-23548)	Sears Roebuck Acceptance Corp.	(18-23560)	Kmart Stores of Texas LLC	(18-23572)	Sears Buying Services, Inc.	(18-23584)	Sears Buying Services, Inc.	(18-23584)	Sears Buying Services, Inc.	(18-23584)	Kmart.com LLC	(18-23584)

Fill in this information to identify the case (Select only one Debtor per claim form):

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?

☒ No

☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim?

\$ 20001.38

Does this amount include interest or other charges?

☒ No

☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or creditcard.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Severance payments and medical premium credit benefits not received per contract.

9. Is all or part of the claim secured?

☒ No

☐ Yes. The claim is secured by a lien on property.

**Nature of property:**

☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

☐ Motor vehicle

☐ Other. Describe: \_\_\_\_\_

**Basis for perfection:** \_\_\_\_\_

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** \$ \_\_\_\_\_

**Amount of the claim that is secured:** \$ \_\_\_\_\_

**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_

**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %

☐ Fixed

☐ Variable

10. Is this claim based on a lease?

☒ No

☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?

☒ No

☐ Yes. Identify the property: \_\_\_\_\_

<b>12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?</b>  A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Check one:	<table style="width: 100%;"> <tr> <td style="width: 80%;">Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).</td> <td style="width: 20%; text-align: right;">Amount entitled to priority \$ _____</td> </tr> <tr> <td>Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).</td> <td style="text-align: right;">\$ <b>19152.98</b></td> </tr> <tr> <td><input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).</td> <td style="text-align: right;">\$ <b>848.40</b></td> </tr> <tr> <td><input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.</td> <td style="text-align: right;">\$ _____</td> </tr> </table>	Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	Amount entitled to priority \$ _____	Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____	<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ <b>19152.98</b>	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____	<input checked="" type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ <b>848.40</b>	<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	\$ _____
Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	Amount entitled to priority \$ _____													
Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____													
<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ <b>19152.98</b>													
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____													
<input checked="" type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ <b>848.40</b>													
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	\$ _____													
* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.														
<b>13. Is all or part of the claim entitled to administrative priority pursuant to 11 U.S.C. § 503(b)(9)?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.	\$ _____												

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: *Cheryl Romanchuk*  
Cheryl Romanchuk (Apr 2, 2019)

Email: romanchukc@yahoo.com

Signature

Print the name of the person who is completing and signing this claim:

Name of the person who is completing and signing this claim:

Name Cheryl L Romanchuk  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_

Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 1868 Keystone Pl.

Number Street

Schaumburg IL 60193

City State ZIP Code

Contact phone 2245581309 Email romanchukc@yahoo.com